

GMA 101

Farmland Preservation Task Force
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Ron Shultz
Washington State Conservation Commission

Additional information by CTED

Goals of the GMA

- There are 13 original goals.
- All 13 are equally important.
- Local jurisdictions must figure out how to address and balance the goals.
- 14th goal - shorelines.

Goals of the GMA

- Urban Growth
- Reduce Sprawl
- Transportation
- Housing
- Economic Development



Goals of the GMA

- Property Rights
- Permits
- Natural Resource Industries
- Open Space and Recreation
- Environment



Goals of the GMA

- Citizen Participation
- Public Facilities and Services
- Historic Preservation
- Shoreline Management



Planning Under GMA

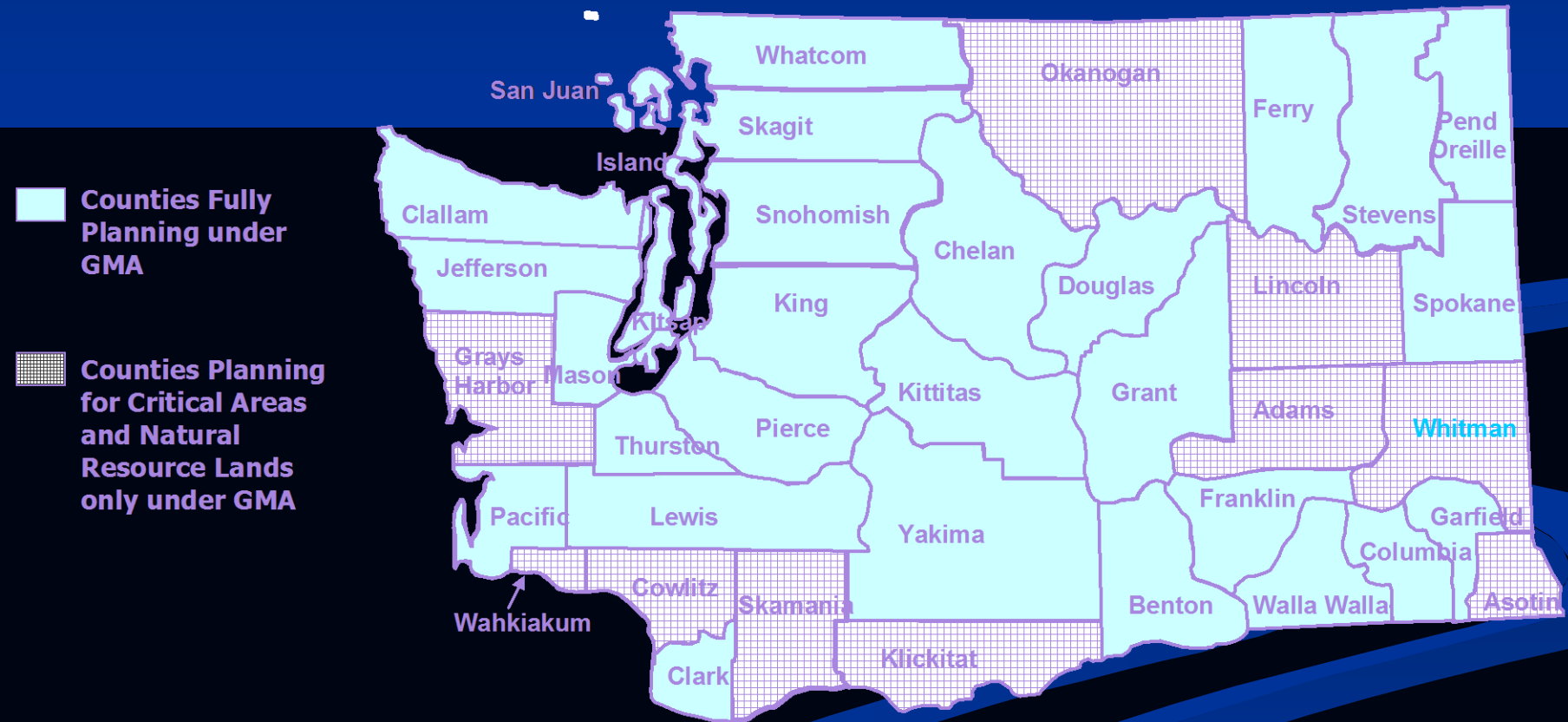
- Some jurisdictions MUST plan.
- Some “opted in”.
- These are “fully planning” under GMA.
- Others must plan only for lands of long-term commercial significance.

Who must fully plan under the GMA?

- Counties with population $> 50,000$ and
 - Before May, 1995 had $> 10\%$ increase
 - After May, 1995 had $> 17\%$ increase
- Counties with increased population of $\geq 20\%$ within 10 years
- Counties that choose to plan

The GMA applies to all cities and counties in the state

COUNTIES PLANNING UNDER THE GROWTH MANAGEMENT ACT



Mandatory Elements of GMA

- Each county MUST designate:
 - Ag lands not characterized by urban growth and have long-term significance for the commercial production of food or other ag products;
 - Forest lands of long-term commercial significance;
 - Mineral resource lands of long-term significance; and
 - Critical areas

Classification, designation and protection/conservation of:

■ Critical Areas:

- * wetlands
- * fish and wildlife habitat conservation areas
- * aquifer recharge areas
- * frequently flooded areas
- * geologically hazardous areas



■ Natural Resource Lands:

- * forest lands
- * agricultural lands
- * mineral lands



AG LANDS OF LONG-TERM COMMERCIAL SIGNIFICANCE



GMA and Agricultural Lands

- Requirement to designate agricultural lands.
- De-designation is just as, if not more, important.
- “...each county, and each city, shall designate where appropriate:
 - (a) Agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products;
 - (b) Forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber;
 - (c) Mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals;...” RCW 36.70A.170

GMA and Agricultural Lands

- GMA goal: “*Maintain and enhance* natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.”
- GMA jurisdictions “...shall adopt development regulations to assure the conservation of agricultural, forest, and mineral resource lands...”

GMA and Agricultural Lands

Counties planning under GMA, in addition to designating and protecting ag lands, must:

require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands...**contain a notice that the subject property is within or near designated agricultural lands**...on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

GMA and Agricultural Lands

- State Supreme Court in *Lewis County* decision, definition of ag land is land:
 - not already characterized by urban growth
 - that is primarily devoted to the commercial production of agricultural products, including land in areas used or capable of being used for production based on land characteristics, and
 - that has long-term commercial significance for agricultural production, as indicated by soil, growing capacity, productivity, and whether it is near population areas or vulnerable to more intense uses.

GMA and Agricultural Lands

- CTED WAC:
 - In classifying agricultural lands of long-term significance for the production of food or other agricultural products,
 - counties and cities shall use the land-capability classification system of the USDA Soil Conservation Service.
 - These eight classes are incorporated by the USDA into map units described in published soil surveys.
 - These categories incorporate consideration of the growing capacity, productivity and soil composition of the land.

GMA and Agricultural Lands

■ CTED WAC:

- Counties and cities shall also consider the combined effects of proximity to population areas and the possibility of more intense uses of the land as indicated by:
 - (a) The availability of public facilities;
 - (b) Tax status;
 - (c) The availability of public services;
 - (d) Relationship or proximity to urban growth areas;
 - (e) Predominant parcel size;
 - (f) Land use settlement patterns and their compatibility with agricultural practices;
 - (g) Intensity of nearby land uses;
 - (h) History of land development permits issued nearby;
 - (i) Land values under alternative uses; and
 - (j) Proximity of markets.

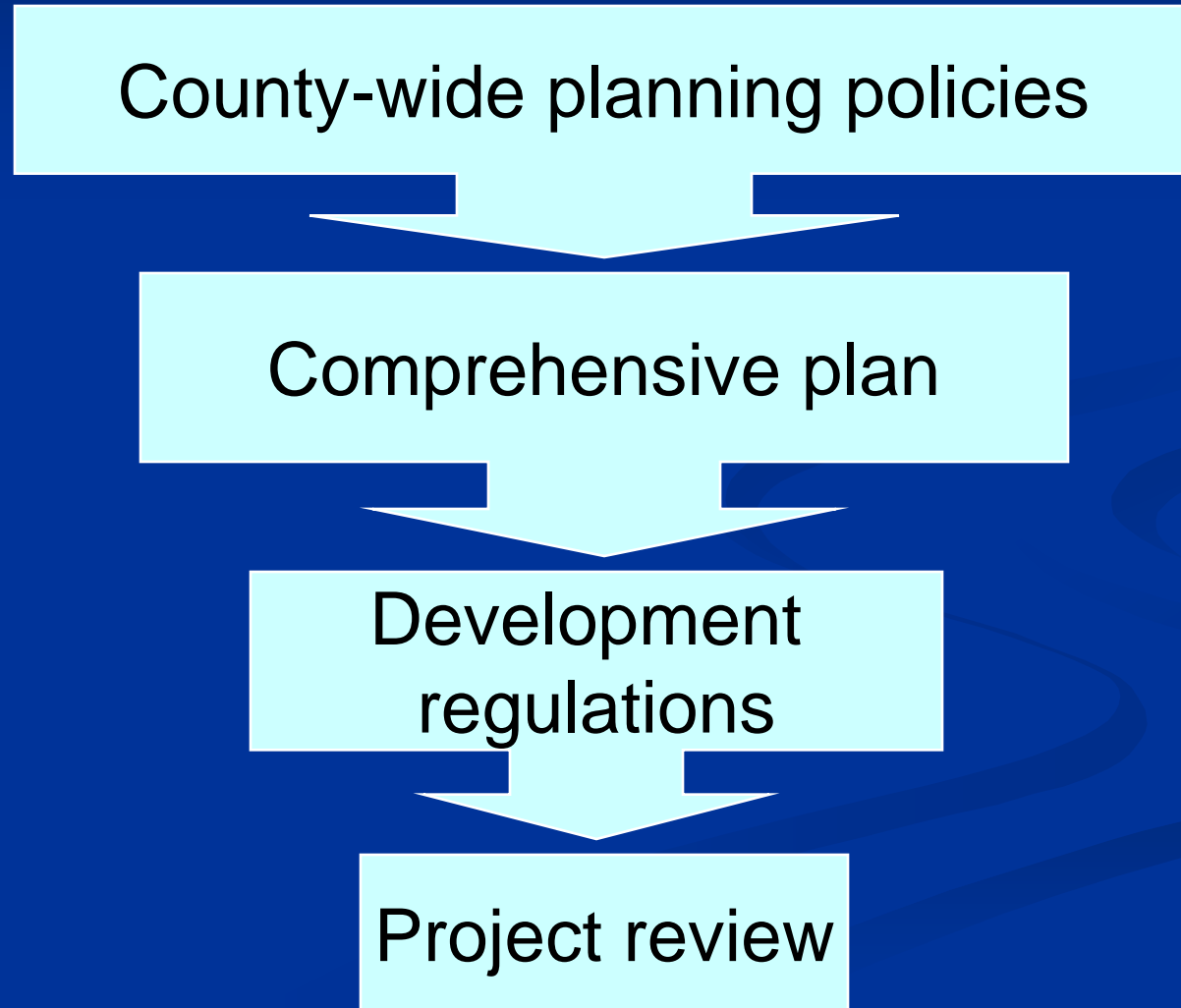
GMA and Agricultural Lands

- CTED WAC:
 - In defining categories of agricultural lands of long-term commercial significance for agricultural production, counties and cities should consider using the classification of prime and unique farmland soils as mapped by the Soil Conservation Service.
 - If a county or city chooses to not use these categories, the rationale for that decision must be included in its next annual report to department of community development.
 - Counties and cities may further classify additional agricultural lands of local importance. Classifying additional agricultural lands of local importance should include consultation with the board of the local conservation district and the local agriculture stabilization and conservation service committee.

GMA and Agricultural Lands

De-designation is subject to the same three-part test established in the *Lewis County* case.

GMA Requirements for fully planning communities



Coordination - Countywide Planning Policies

Policy framework for local plans to:

- ◆ Designate urban growth areas
- ◆ Site county-wide or state-wide facilities
- ◆ Consider need for affordable housing
- ◆ Jointly plan within urban growth areas
- ◆ Plan for economic development

Designation of Urban Growth Areas (UGAs)



- Population allocation
- Land capacity analysis
- Provision for adequate public facilities and services

Comprehensive Plans

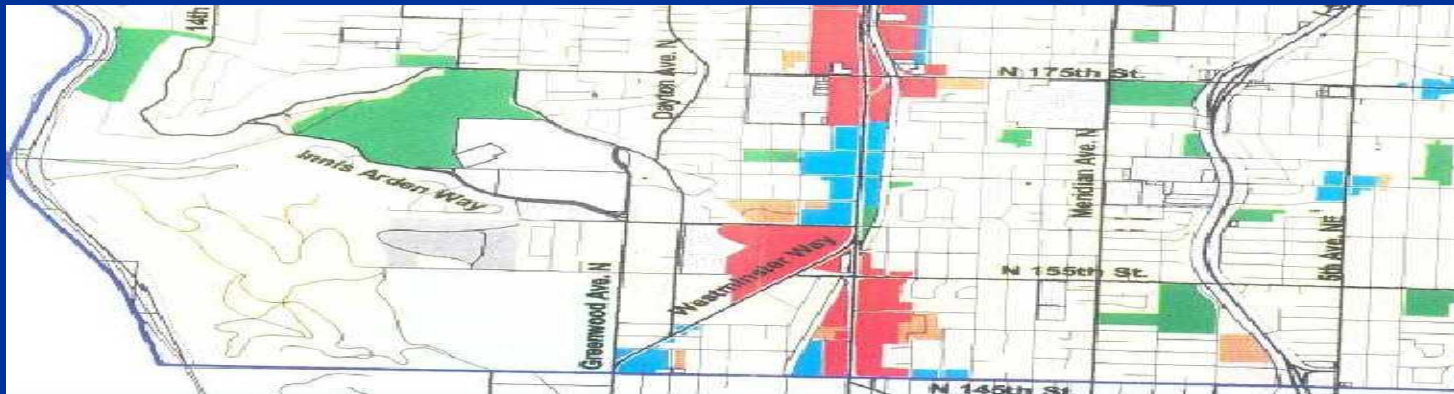
Mandatory Elements

- Land Use
- Housing
- Capital Facilities
- Transportation
- Utilities
- Rural (counties only)
- Shoreline Master Program (policies)



Development Regulations to Implement the Plan

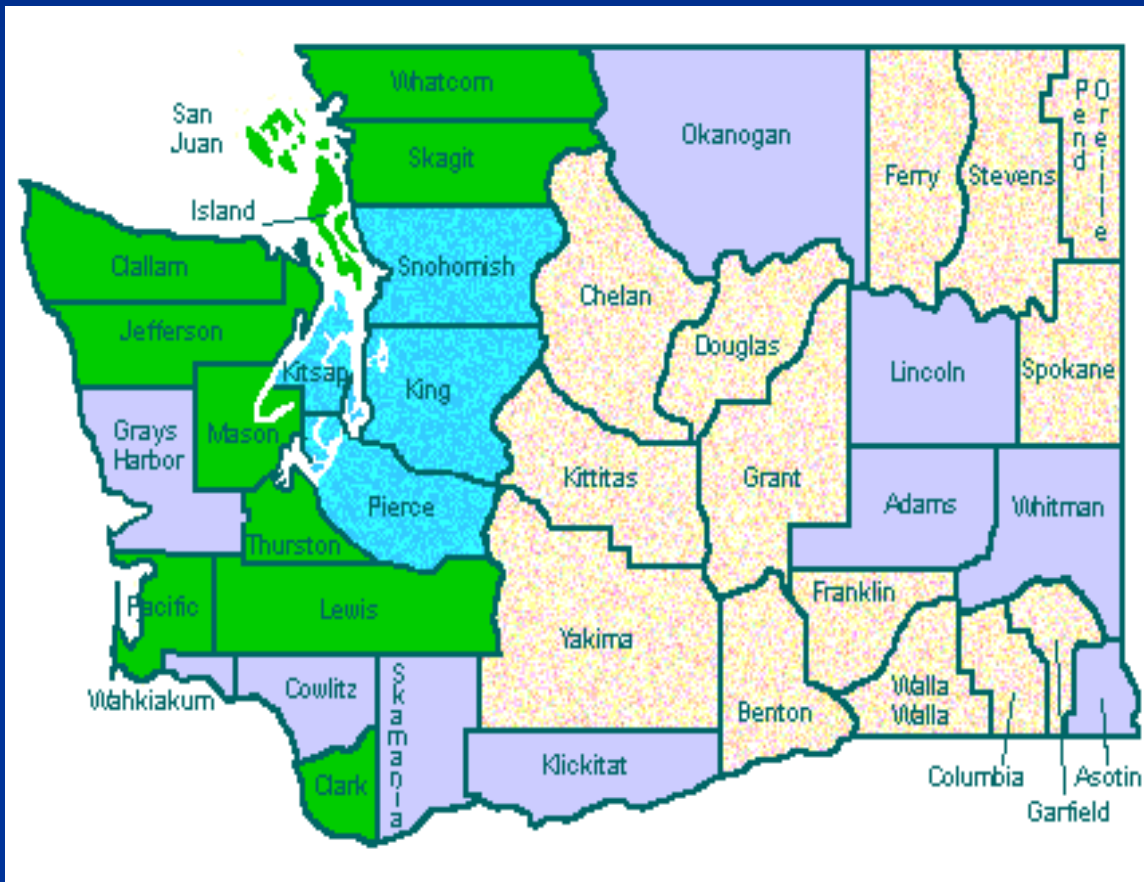
- zoning
- plats and subdivisions
- concurrency
- critical areas
- impact fees
- siting of essential public facilities
- anything implementing the plan policies
- shoreline master program (regulations)



Other local ordinances

- Building codes
- Clearing and grading ordinances
- Noise and Odor ordinances
- Right to Farm ordinances (see issue brief)

Growth Management Hearings Boards



- Three regional hearings boards
- Review plans and regulations, including SMPs
- Plans and regulations presumed valid

GMHB

- Political context for the creation of the Boards.
- Compromise between top-down and bottom-up.
- Citizen access via no attorney representation requirement.
- Citizen representation – three members, one attorney.
- Deference to local decisions – presumed valid.

Questions?

Discussion of Farmland Preservation
Zone